

Exhibit 61

From: TMOfficialNotices@USPTO.GOV
Sent: Tuesday, November 1, 2011 00:44 AM
To: kallred@glidewell dental.com
Subject: Official USPTO Notice of Actual Publication: Serial Number 85332886

NOTICE OF ACTUAL PUBLICATION

Serial Number: 85-332,886
Mark: BRUXZIR(STANDARD CHARACTER MARK)
International Class(es): 005
Applicant: James R. Glidewell Dental Ceramics Inc.
Docket/Reference Number:

The mark identified above has been published in the *Trademark Official Gazette* (OG) on Nov 01, 2011. Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then within twelve (12) weeks of the publication date a certificate of registration should issue.

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the OG for accuracy (see steps, *below*). If any information is incorrect, the applicant should immediately email the requested correction to **TMPostPubQuery@uspto.gov**. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

1. Click on the following link or paste the URL into an internet browser:
http://www.uspto.gov/web/trademarks/tmog/20111101_OG.pdf#page=1
2. Wait for the total OG to download completely (as indicated on bottom of OG page).
3. At the top/side of the displayed page, click wherever the "binoculars" icon appears.
4. Enter in the "search" box the name of the applicant (for individual: last name, first name) or the serial number in this exact format (with hyphen and comma): 85-332,886, e.g.
5. View the retrieved result(s). If multiple results appear in the "results" box, click directly on each "search term" shown in the box to access all separate appearances in the OG.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85332886>.
NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

Trademark Snap Shot Publication & Issue Review Stylesheet

(Table presents the data on Publication & Issue Review Complete)

OVERVIEW

| | | | |
|---------------|---------------------------|---------------|------------|
| SERIAL NUMBER | 85332886 | FILING DATE | 05/27/2011 |
| REG NUMBER | 0000000 | REG DATE | N/A |
| REGISTER | PRINCIPAL | MARK TYPE | TRADEMARK |
| INTL REG # | N/A | INTL REG DATE | N/A |
| TM ATTORNEY | WHITTAKER BROWN, TRACY | L.O. ASSIGNED | 111 |

PUB INFORMATION

| | |
|----------------------|---------------------------------------|
| RUN DATE | 09/27/2011 |
| PUB DATE | 11/01/2011 |
| STATUS | 681-PUBLICATION/ISSUE REVIEW COMPLETE |
| STATUS DATE | 09/26/2011 |
| LITERAL MARK ELEMENT | BRUXZIR |

| | | | |
|----------------|-----|--------------------|-----|
| DATE ABANDONED | N/A | DATE CANCELLED | N/A |
| SECTION 2F | NO | SECTION 2F IN PART | NO |
| SECTION 8 | NO | SECTION 8 IN PART | NO |
| SECTION 15 | NO | REPUB 12C | N/A |
| RENEWAL FILED | NO | RENEWAL DATE | N/A |
| DATE AMEND REG | N/A | | |

FILING BASIS

| FILED BASIS | | CURRENT BASIS | | AMENDED BASIS | |
|-------------|-----|---------------|-----|---------------|----|
| 1 (a) | YES | 1 (a) | YES | 1 (a) | NO |
| 1 (b) | NO | 1 (b) | NO | 1 (b) | NO |
| 44D | NO | 44D | NO | 44D | NO |
| 44E | NO | 44E | NO | 44E | NO |
| 66A | NO | 66A | NO | | |
| NO BASIS | NO | NO BASIS | NO | | |

MARK DATA

| | |
|-------------------------|---------|
| STANDARD CHARACTER MARK | YES |
| LITERAL MARK ELEMENT | BRUXZIR |

| | |
|----------------------------------|--|
| MARK DRAWING CODE | 4-STANDARD CHARACTER MARK |
| COLOR DRAWING FLAG | NO |
| CURRENT OWNER INFORMATION | |
| PARTY TYPE | 10-ORIGINAL APPLICANT |
| NAME | James R. Glidewell Dental Ceramics Inc. |
| ADDRESS | Professional Services 4141 MacArthur Blvd. Newport Beach, CA 92660 |
| ENTITY | 03-CORPORATION |
| CITIZENSHIP | California |
| DBA/AKA | DBA Glidewell Laboratories |
| GOODS AND SERVICES | |
| INTERNATIONAL CLASS | 005 |
| DESCRIPTION TEXT | Dental ceramics |

| GOODS AND SERVICES CLASSIFICATION | | | | | | | |
|-----------------------------------|-----|----------------|------------|----------------------------|------------|--------------|----------|
| INTERNATIONAL CLASS | 005 | FIRST USE DATE | 11/10/2009 | FIRST USE IN COMMERCE DATE | 11/10/2009 | CLASS STATUS | 6-ACTIVE |

| | |
|---|---------|
| MISCELLANEOUS INFORMATION/STATEMENTS | |
| CHANGE IN REGISTRATION | NO |
| OWNER OF US REG NOS | 3739663 |

| PROSECUTION HISTORY | | | | |
|---------------------|--------|----------|--|---------|
| DATE | ENT CD | ENT TYPE | DESCRIPTION | ENT NUM |
| 09/26/2011 | PREV | O | LAW OFFICE PUBLICATION REVIEW COMPLETED | 015 |
| 09/26/2011 | ALIE | A | ASSIGNED TO LIE | 014 |
| 09/14/2011 | CNSA | O | APPROVED FOR PUB - PRINCIPAL REGISTER | 013 |
| 09/14/2011 | XAEC | I | EXAMINER'S AMENDMENT ENTERED | 012 |
| 09/14/2011 | GNEN | O | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED | 011 |
| 09/14/2011 | GNEA | O | EXAMINERS AMENDMENT E-MAILED | 010 |
| 09/14/2011 | CNEA | R | EXAMINERS AMENDMENT -WRITTEN | 009 |
| 09/14/2011 | GPRN | O | NOTIFICATION OF PRIORITY ACTION E-MAILED | 008 |

| | | | | |
|------------|------|---|---|-----|
| 09/14/2011 | GPRA | F | PRIORITY ACTION E-MAILED | 007 |
| 09/14/2011 | CPRA | R | PRIORITY ACTION WRITTEN | 006 |
| 09/14/2011 | DOCK | D | ASSIGNED TO EXAMINER | 005 |
| 06/02/2011 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 004 |
| 06/01/2011 | ARAA | I | ATTORNEY REVOKED AND/OR APPOINTED | 003 |
| 06/01/2011 | REAP | I | TEAS REVOKE/APPOINT ATTORNEY RECEIVED | 002 |
| 05/31/2011 | NWAP | I | NEW APPLICATION ENTERED IN TRAM | 001 |

CURRENT CORRESPONDENCE INFORMATION

| | |
|-------------------------|--|
| ATTORNEY | Keith D. Allred |
| CORRESPONDENCE ADDRESS | KEITH D. ALLRED KEITH D. ALLRED, GENERAL COUNSEL 4141 MACARTHUR BLVD NEWPORT BEACH, CA 92660-2015 |
| DOMESTIC REPRESENTATIVE | NONE |

BRUXZIR

Trademark Snap Shot Amendment & Mail Processing Stylesheet

(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

| | | | |
|---------------|---------------------------|---------------|------------|
| SERIAL NUMBER | 85332886 | FILING DATE | 05/27/2011 |
| REG NUMBER | 0000000 | REG DATE | N/A |
| REGISTER | PRINCIPAL | MARK TYPE | TRADEMARK |
| INTL REG # | N/A | INTL REG DATE | N/A |
| TM ATTORNEY | WHITTAKER BROWN, TRACY | L.O. ASSIGNED | 111 |

PUB INFORMATION

| | |
|----------------------|------------------------------|
| RUN DATE | 09/15/2011 |
| PUB DATE | N/A |
| STATUS | 680-APPROVED FOR PUBLICATION |
| STATUS DATE | 09/14/2011 |
| LITERAL MARK ELEMENT | BRUXZIR |

| | | | |
|----------------|-----|--------------------|-----|
| DATE ABANDONED | N/A | DATE CANCELLED | N/A |
| SECTION 2F | NO | SECTION 2F IN PART | NO |
| SECTION 8 | NO | SECTION 8 IN PART | NO |
| SECTION 15 | NO | REPUB 12C | N/A |
| RENEWAL FILED | NO | RENEWAL DATE | N/A |
| DATE AMEND REG | N/A | | |

FILING BASIS

| FILED BASIS | | CURRENT BASIS | | AMENDED BASIS | |
|-------------|-----|---------------|-----|---------------|----|
| 1 (a) | YES | 1 (a) | YES | 1 (a) | NO |
| 1 (b) | NO | 1 (b) | NO | 1 (b) | NO |
| 44D | NO | 44D | NO | 44D | NO |
| 44E | NO | 44E | NO | 44E | NO |
| 66A | NO | 66A | NO | | |
| NO BASIS | NO | NO BASIS | NO | | |

MARK DATA

| | |
|-------------------------|---------|
| STANDARD CHARACTER MARK | YES |
| LITERAL MARK ELEMENT | BRUXZIR |

| | |
|----------------------------------|--|
| MARK DRAWING CODE | 4-STANDARD CHARACTER MARK |
| COLOR DRAWING FLAG | NO |
| CURRENT OWNER INFORMATION | |
| PARTY TYPE | 10-ORIGINAL APPLICANT |
| NAME | James R. Glidewell Dental Ceramics Inc. |
| ADDRESS | Professional Services 4141 MacArthur Blvd. Newport Beach, CA 92660 |
| ENTITY | 03-CORPORATION |
| CITIZENSHIP | California |
| DBA/AKA | DBA Glidewell Laboratories |
| GOODS AND SERVICES | |
| INTERNATIONAL CLASS | 005 |
| DESCRIPTION TEXT | Dental ceramics |

| GOODS AND SERVICES CLASSIFICATION | | | | | | | |
|-----------------------------------|-----|----------------|------------|----------------------------|------------|--------------|----------|
| INTERNATIONAL CLASS | 005 | FIRST USE DATE | 11/10/2009 | FIRST USE IN COMMERCE DATE | 11/10/2009 | CLASS STATUS | 6-ACTIVE |

| | |
|---|---------|
| MISCELLANEOUS INFORMATION/STATEMENTS | |
| CHANGE IN REGISTRATION | NO |
| OWNER OF US REG NOS | 3739663 |

| PROSECUTION HISTORY | | | | |
|---------------------|--------|----------|--|---------|
| DATE | ENT CD | ENT TYPE | DESCRIPTION | ENT NUM |
| 09/14/2011 | CNSA | O | APPROVED FOR PUB - PRINCIPAL REGISTER | 013 |
| 09/14/2011 | XAEC | I | EXAMINER'S AMENDMENT ENTERED | 012 |
| 09/14/2011 | GNEN | O | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED | 011 |
| 09/14/2011 | GNEA | O | EXAMINERS AMENDMENT E-MAILED | 010 |
| 09/14/2011 | CNEA | R | EXAMINERS AMENDMENT -WRITTEN | 009 |
| 09/14/2011 | GPRN | O | NOTIFICATION OF PRIORITY ACTION E-MAILED | 008 |
| 09/14/2011 | GPRA | F | PRIORITY ACTION E-MAILED | 007 |
| 09/14/2011 | CPRA | R | PRIORITY ACTION WRITTEN | 006 |

| | | | | |
|------------|------|---|--|-----|
| 09/14/2011 | DOCK | D | ASSIGNED TO EXAMINER | 005 |
| 06/02/2011 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 004 |
| 06/01/2011 | ARAA | I | ATTORNEY REVOKED AND/OR APPOINTED | 003 |
| 06/01/2011 | REAP | I | TEAS REVOKE/APPOINT ATTORNEY RECEIVED | 002 |
| 05/31/2011 | NWAP | I | NEW APPLICATION ENTERED IN TRAM | 001 |

CURRENT CORRESPONDENCE INFORMATION

| | |
|-------------------------|--|
| ATTORNEY | Keith D. Allred |
| CORRESPONDENCE ADDRESS | KEITH D. ALLRED KEITH D. ALLRED, GENERAL COUNSEL 4141 MACARTHUR BLVD NEWPORT BEACH, CA 92660-2015 |
| DOMESTIC REPRESENTATIVE | NONE |

BRUXZIR

Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

OVERVIEW

| | | | |
|---------------|---------------------------|---------------|------------|
| SERIAL NUMBER | 85332886 | FILING DATE | 05/27/2011 |
| REG NUMBER | 0000000 | REG DATE | N/A |
| REGISTER | PRINCIPAL | MARK TYPE | TRADEMARK |
| INTL REG # | N/A | INTL REG DATE | N/A |
| TM ATTORNEY | WHITTAKER BROWN, TRACY | L.O. ASSIGNED | 111 |

PUB INFORMATION

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|----------------------|------------------------------|
| RUN DATE | 09/15/2011 |
| PUB DATE | N/A |
| STATUS | 680-APPROVED FOR PUBLICATION |
| STATUS DATE | 09/14/2011 |
| LITERAL MARK ELEMENT | BRUXZIR |

| | | | |
|----------------|-----|--------------------|-----|
| DATE ABANDONED | N/A | DATE CANCELLED | N/A |
| SECTION 2F | NO | SECTION 2F IN PART | NO |
| SECTION 8 | NO | SECTION 8 IN PART | NO |
| SECTION 15 | NO | REPUB 12C | N/A |
| RENEWAL FILED | NO | RENEWAL DATE | N/A |
| DATE AMEND REG | N/A | | |

FILING BASIS

| FILED BASIS | | CURRENT BASIS | | AMENDED BASIS | |
|-------------|-----|---------------|-----|---------------|----|
| 1 (a) | YES | 1 (a) | YES | 1 (a) | NO |
| 1 (b) | NO | 1 (b) | NO | 1 (b) | NO |
| 44D | NO | 44D | NO | 44D | NO |
| 44E | NO | 44E | NO | 44E | NO |
| 66A | NO | 66A | NO | | |
| NO BASIS | NO | NO BASIS | NO | | |

MARK DATA

| | |
|-------------------------|---------|
| STANDARD CHARACTER MARK | YES |
| LITERAL MARK ELEMENT | BRUXZIR |

| | |
|----------------------------------|--|
| MARK DRAWING CODE | 4-STANDARD CHARACTER MARK |
| COLOR DRAWING FLAG | NO |
| CURRENT OWNER INFORMATION | |
| PARTY TYPE | 10-ORIGINAL APPLICANT |
| NAME | James R. Glidewell Dental Ceramics Inc. |
| ADDRESS | Professional Services 4141 MacArthur Blvd. Newport Beach, CA 92660 |
| ENTITY | 03-CORPORATION |
| CITIZENSHIP | California |
| DBA/AKA | DBA Glidewell Laboratories |
| GOODS AND SERVICES | |
| INTERNATIONAL CLASS | 005 |
| DESCRIPTION TEXT | Dental ceramics |

| GOODS AND SERVICES CLASSIFICATION | | | | | | | |
|-----------------------------------|-----|----------------|------------|----------------------------|------------|--------------|----------|
| INTERNATIONAL CLASS | 005 | FIRST USE DATE | 11/10/2009 | FIRST USE IN COMMERCE DATE | 11/10/2009 | CLASS STATUS | 6-ACTIVE |

| | |
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| MISCELLANEOUS INFORMATION/STATEMENTS | |
| CHANGE IN REGISTRATION | NO |
| OWNER OF US REG NOS | 3739663 |

| PROSECUTION HISTORY | | | | |
|---------------------|--------|----------|--|---------|
| DATE | ENT CD | ENT TYPE | DESCRIPTION | ENT NUM |
| 09/14/2011 | CNSA | O | APPROVED FOR PUB - PRINCIPAL REGISTER | 013 |
| 09/14/2011 | XAEC | I | EXAMINER'S AMENDMENT ENTERED | 012 |
| 09/14/2011 | GNEN | O | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED | 011 |
| 09/14/2011 | GNEA | O | EXAMINERS AMENDMENT E-MAILED | 010 |
| 09/14/2011 | CNEA | R | EXAMINERS AMENDMENT -WRITTEN | 009 |
| 09/14/2011 | GPRN | O | NOTIFICATION OF PRIORITY ACTION E-MAILED | 008 |
| 09/14/2011 | GPRA | F | PRIORITY ACTION E-MAILED | 007 |
| 09/14/2011 | CPRA | R | PRIORITY ACTION WRITTEN | 006 |

| | | | | |
|------------|------|---|--|-----|
| 09/14/2011 | DOCK | D | ASSIGNED TO EXAMINER | 005 |
| 06/02/2011 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 004 |
| 06/01/2011 | ARAA | I | ATTORNEY REVOKED AND/OR APPOINTED | 003 |
| 06/01/2011 | REAP | I | TEAS REVOKE/APPOINT ATTORNEY RECEIVED | 002 |
| 05/31/2011 | NWAP | I | NEW APPLICATION ENTERED IN TRAM | 001 |

CURRENT CORRESPONDENCE INFORMATION

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|-------------------------|--|
| ATTORNEY | Keith D. Allred |
| CORRESPONDENCE ADDRESS | KEITH D. ALLRED KEITH D. ALLRED, GENERAL COUNSEL 4141 MACARTHUR BLVD NEWPORT BEACH, CA 92660-2015 |
| DOMESTIC REPRESENTATIVE | NONE |

BRUXZIR

To: James R. Glidewell Dental Ceramics Inc. (kallred@glidewelldental.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85332886 - BRUXZIR - N/A
Sent: 9/14/2011 4:41:39 PM
Sent As: ECOM111@USPTO.GOV
Attachments:

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 85332886

MARK: BRUXZIR

85332886

CORRESPONDENT ADDRESS:

KEITH D. ALLRED
KEITH D. ALLRED, GENERAL
COUNSEL
4141 MACARTHUR BLVD
NEWPORT BEACH, CA 92660-2015

GENERAL TRADEMARK INFORMATION:
<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: James R. Glidewell Dental
Ceramics Inc.

**CORRESPONDENT'S REFERENCE/DOCKET
NO:** N/A

CORRESPONDENT E-MAIL ADDRESS:
kallred@glidewelldental.com

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: 9/14/2011

DATABASE SEARCH: The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by Leonard Tachner, Esq. on September 14, 2011, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

Prior Registration

The following claim of ownership is added to the record:

Applicant is the owner of U.S. Registration No. 3739663.

See 37 C.F.R. §2.36; TMEP §812.

USPTO
/T. Whittaker-Brown/
Examining Attorney, LO 111
Phone: 571-272-9397
Tracy.Whittaker-Brown@uspto.gov

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

To: James R. Glidewell Dental Ceramics Inc. (kallred@glidewelldental.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85332886 - BRUXZIR - N/A
Sent: 9/14/2011 4:41:40 PM
Sent As: ECOM111@USPTO.GOV
Attachments:

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

**USPTO LETTER (AN OFFICE ACTION) HAS ISSUED ON 9/14/2011 FOR
SERIAL NO. 85332886**

Please follow the instructions below:

TO READ OFFICE LETTER: Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office letter

PLEASE NOTE: The Office letter may not be immediately available but will be viewable within 24 hours of this e-mail notification.

HELP: For *technical* assistance in accessing the Office correspondence, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office letter.

NOTE TO THE FILE

SERIAL NUMBER: 85332886
DATE: 09/14/2011
NAME: twhittaker-brown

NOTE:

Searched:

☐ Google
☐ Lexis/Nexis
☐ OneLook
☐ Wikipedia
☐ Acronym Finder
☐ Other:

Discussed ID with:

☐ Senior Atty
☐ Managing Atty

☐ Protest evidence reviewed

Checked:

☐ Geographic significance
☐ Surname
☐ Translation
☐ ID with ID/CLASS mailbox

Discussed Geo. Sig. with:

☐ Senior Atty
☐ Managing Atty

Discussed file with

Attorney/Applicant via:

| | |
|--|---|
| <input type="checkbox"/> phone | <input type="checkbox"/> Left message with Attorney/Applicant |
| <input type="checkbox"/> email | |
| <input type="checkbox"/> Requested Law Library search for: | <input checked="" type="checkbox"/> Issued Examiner's Amendment and entered changes in TRADEUPS |
| <input type="checkbox"/> PRINT <input type="checkbox"/> DO NOT PRINT | <input type="checkbox"/> Added design code in TRADEUPS |
| <input type="checkbox"/> Description of the mark | <input type="checkbox"/> Re-imaged standard character drawing |
| <input type="checkbox"/> Translation statement | <input type="checkbox"/> Contacted TM MADRID ID/CLASS about misclassified definite ID |
| <input type="checkbox"/> Negative translation statement | |
| <input type="checkbox"/> Consent of living individual | |
| <input type="checkbox"/> Changed TRADEUPS to: | |
| <input type="checkbox"/> OTHER: | |

NOTE TO THE FILE

SERIAL NUMBER: 85332886

DATE: 09/14/2011

NAME: twhittaker-brown

NOTE:

Searched:

☐ Google
☐ Lexis/Nexis
☒ OneLook
☐ Wikipedia
☐ Acronym Finder
☐ Other:

Discussed ID with:

☐ Senior Atty
☐ Managing Atty

☐ Protest evidence reviewed

Checked:

☐ Geographic significance
☐ Surname
☐ Translation
☐ ID with ID/CLASS mailbox

Discussed Geo. Sig. with:

☐ Senior Atty
☐ Managing Atty

Discussed file with

Attorney/Applicant via:

| | |
|--|---|
| <input type="checkbox"/> phone | <input type="checkbox"/> Left message with Attorney/Applicant |
| <input type="checkbox"/> email | |
| <input type="checkbox"/> Requested Law Library search for: | <input type="checkbox"/> Issued Examiner's Amendment and entered changes in TRADEUPS |
| <input type="checkbox"/> PRINT <input type="checkbox"/> DO NOT PRINT | <input type="checkbox"/> Added design code in TRADEUPS |
| <input type="checkbox"/> Description of the mark | |
| <input type="checkbox"/> Translation statement | <input type="checkbox"/> Re-imaged standard character drawing |
| <input type="checkbox"/> Negative translation statement | |
| <input type="checkbox"/> Consent of living individual | <input type="checkbox"/> Contacted TM MADRID ID/CLASS about misclassified definite ID |
| <input type="checkbox"/> Changed TRADEUPS to: | |
| <input type="checkbox"/> OTHER: | |

NOTE TO THE FILE

SERIAL NUMBER: 85332886
DATE: 09/14/2011
NAME: twhittaker-brown

NOTE:

Searched:

☐ Google
☐ Lexis/Nexis
☒ OneLook
☐ Wikipedia
☐ Acronym Finder
☒ Other: bing.com;411.com;altavista.com

Discussed ID with:

☐ Senior Atty
☐ Managing Atty

☐ Protest evidence reviewed

Checked:

☒ Geographic significance
☒ Surname
☒ Translation
☐ ID with ID/CLASS mailbox

Discussed Geo. Sig. with:

☐ Senior Atty
☐ Managing Atty

Discussed file with

Attorney/Applicant via:

| | |
|--|---|
| <input type="checkbox"/> phone | <input type="checkbox"/> Left message with Attorney/Applicant |
| <input type="checkbox"/> email | |
| <input type="checkbox"/> Requested Law Library search for: | <input type="checkbox"/> Issued Examiner's Amendment and entered changes in TRADEUPS |
| <input type="checkbox"/> PRINT | <input type="checkbox"/> Added design code in TRADEUPS |
| <input type="checkbox"/> DO NOT PRINT | |
| <input type="checkbox"/> Description of the mark | <input type="checkbox"/> Re-imaged standard character drawing |
| <input type="checkbox"/> Translation statement | |
| <input type="checkbox"/> Negative translation statement | <input type="checkbox"/> Contacted TM MADRID ID/CLASS about misclassified definite ID |
| <input type="checkbox"/> Consent of living individual | |
| <input type="checkbox"/> Changed TRADEUPS to: | |
| <input type="checkbox"/> OTHER: | |

To: James R. Glidewell Dental Ceramics Inc. (kallred@glidewelldental.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85332886 - BRUXZIR - N/A
Sent: 9/14/2011 10:34:54 AM
Sent As: ECOM111@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 85332886

MARK: BRUXZIR

85332886

CORRESPONDENT ADDRESS:

KEITH D. ALLRED
KEITH D. ALLRED, GENERAL COUNSEL
4141 MACARTHUR BLVD
NEWPORT BEACH, CA 92660-2015

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

APPLICANT: James R. Glidewell Dental
Ceramics Inc.

**CORRESPONDENT'S REFERENCE/DOCKET
NO:**

N/A

CORRESPONDENT E-MAIL ADDRESS:

kallred@glidewelldental.com

PRIORITY ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 9/14/2011

DATABASE SEARCH: The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

ISSUES APPLICANT MUST ADDRESS: On September 14, 2011, the trademark examining attorney

and Leonard Tachner, Esq. discussed the issues below via message. Applicant must timely respond to these issues. *See* 15 U.S.C. §1062(b); 37 C.F.R. §2.62(a); TMEP §§708, 711.

Applicant is encouraged to telephone the assigned trademark examining attorney to resolve the issues raised in this Office action.

Prior Registration Must Be Claimed

If applicant is the owner of U.S. Registration No. 3739663, then applicant must submit a claim of ownership. 37 C.F.R. §2.36; TMEP §812. See attached registration. The following standard format is suggested:

Applicant is the owner of U.S. Registration Nos. 3739663.

Response Guidelines

Applicant should include the following information on all correspondence with the Office: (1) the name and law office number of the trademark examining attorney, (2) the serial number and filing date of the application, (3) the date of issuance of this Office action, (4) applicant's name, address, telephone number and e-mail address (if applicable), and (5) the mark. 37 C.F.R. §2.194(b)(1); TMEP §302.03(a). For this application to proceed toward registration, applicant must explicitly address each refusal and/or requirement raised in this Office action. If the action includes a refusal, applicant may provide arguments and/or evidence as to why the refusal should be withdrawn and the mark should register. Applicant may also have other options for responding to a refusal and should consider such options carefully. To respond to requirements and certain refusal response options, applicant should set forth in writing the required changes or statements.

If applicant does not respond to this Office action within six months of the issue/ mailing date, or responds by expressly abandoning the application, the application process will end, the trademark will fail to register, and the application fee will not be refunded. *See* 15 U.S.C. §1062(b); 37 C.F.R. §§2.65(a), 2.68(a), 2.209(a); TMEP §§405.04, 718.01, 718.02. Where the application has been abandoned for failure to respond to an Office action, applicant's only option would be to file a timely petition to revive the application, which, if granted, would allow the application to return to live status. *See* 37 C.F.R. §2.66; TMEP §1714. There is a \$100 fee for such petitions. *See* 37 C.F.R. §§2.6, 2.66(b)(1).

If applicant has questions regarding this Office action, please telephone the assigned trademark examining attorney. All relevant written communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §2.191; TMEP §§709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. *See* TMEP §§705.02, 709.06. Any arguments regarding the contents of this Office action should be made in a written response, as those discussions should be kept of record.

USPTO
/T. Whittaker-Brown/
Examining Attorney, LO 111
Phone: 571-272-9397
Tracy.Whittaker-Brown@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

Print: Sep 14, 2011

77761757

DESIGN MARK

Serial Number

77761757

Status

REGISTERED

Word Mark

BRUXZIR

Standard Character Mark

Yes

Registration Number

3739663

Date Registered

2010/01/19

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

James R. Glidewell, Dental Ceramic, Inc. DBA Glidewell Laboratories
CORPORATION CALIFORNIA Professional Services 4141 MacArthur Blvd.
Newport Beach CALIFORNIA 92660

Goods/Services

Class Status -- ACTIVE. IC 010. US 026 039 044. G & S: Dental
bridges; Dental caps; Dental crowns; Dental inlays; Dental onlays;
Dental prostheses. First Use: 2009/06/06. First Use In Commerce:
2009/06/06.

Filing Date

2009/06/17

Examining Attorney

KEVIN CORWIN

Attorney of Record

Keith D. Allred, Esq.

-1-

BRUXZIR

To: James R. Glidewell Dental Ceramics Inc. (kallred@glidewelldental.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85332886 - BRUXZIR - N/A
Sent: 9/14/2011 10:34:56 AM
Sent As: ECOM111@USPTO.GOV
Attachments:

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

**USPTO OFFICE ACTION HAS ISSUED ON 9/14/2011 FOR
SERIAL NO. 85332886**

Please follow the instructions below to continue the prosecution of your application:

TO READ OFFICE ACTION: Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this e-mail notification.

RESPONSE IS REQUIRED: You should carefully review the Office action to determine (1) how to respond; and (2) the applicable [response time period](#). Your response deadline will be calculated from **9/14/2011** (or sooner if specified in the office action).

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System [Response Form](#).

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

Failure to file the required response by the applicable deadline will result in the [ABANDONMENT](#) of your application.

*** User:twittaker ***

| # | Total Marks | Dead Marks | Live Viewed Docs | Live Viewed Images | Status/ Search Duration | Search |
|----|----------------|---------------|------------------------|--------------------------|-------------------------------|---|
| 01 | 1 | 0 | 1 | 1 | 0:01 | 85332886[SN] |
| 02 | 4828 | N/A | 0 | 0 | 0:03 | *br{v}{"ckqx"}*[bi,ti] not dead[ld] |
| 03 | 598426 | N/A | 0 | 0 | 0:45 | *{"szc"}{"eiyur"}*[bi,ti] not dead[ld] |
| 04 | 1914 | N/A | 16 | 16 | 0:01 | 2 and 3 |
| 05 | 1280 | N/A | 23 | 23 | 0:01 | 4 not (*bracelet* or *broker* or *embrace*)[bi,ti] not dead[ld] |
| 06 | 668 | N/A | 42 | 41 | 0:02 | 5 not (*embrac* or *bri{"ckq"}*)[bi,ti] not dead[ld] |
| 07 | 23 | 0 | 23 | 18 | 0:03 | 6 and "005"[ic] |
| 08 | 1 | 0 | 1 | 1 | 0:01 | 6 and (a or b or 200)[ic] |
| 09 | 645 | N/A | 0 | 0 | 0:01 | 6 not 7 |
| 10 | 579 | N/A | 29 | 27 | 0:01 | 9 not *brak*[bi,ti] not dead[ld] |
| 11 | 530 | 0 | 32 | 27 | 0:01 | 10 not *broc*[bi,ti] not dead[ld] |

Session started 9/14/2011 10:05:13 AM

Session finished 9/14/2011 10:25:18 AM

Total search duration 1 minutes 0 seconds

Session duration 20 minutes 5 seconds

Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 85332886

PTO Form 219B (Rev 9/2005)
DMB No. 0651 0050 (Exp 09/30/2011)

Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

The table below presents the data as entered.

| Input Field | Entered |
|------------------------|--|
| SERIAL NUMBER | 85332886 |
| ATTORNEY DOCKET NUMBER | GLIDEWELL-25 |
| MARK SECTION | |
| MARK | BRUXZIR |
| ATTORNEY SECTION | |
| ORIGINAL ADDRESS | KEITH D. ALLRED KEITH D. ALLRED, GENERAL COUNSEL 4141 MACARTHUR BLVD. PROFESSIONAL SERVICES NEWPORT BEACH, CA 92660 949-440-2683 949-440-2787 kallred@glidewelldental.com |
| NEW ATTORNEY ADDRESS | |
| STATEMENT TEXT | By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney. |
| NAME | LEONARD TACHNER |
| FIRM NAME | LEONARD TACHNER, A PROFESSIONAL LAW CORPORATION |
| STREET | 17961 SKY PARK CIRCLE, SUITE 38-E |
| CITY | IRVINE |
| STATE | California |
| COUNTRY | United States |
| POSTAL/ZIP CODE | 92614 |
| PHONE | 949-752-8525 |

| | |
|---|---|
| FAX | 949-955-2415 |
| EMAIL | tachlaw@aol.com |
| ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL | YES |
| ATTORNEY DOCKET NUMBER | GLIDEWELL-25 |
| NEW CORRESPONDENCE ADDRESS | |
| NAME | LEONARD TACHNER |
| FIRM NAME | LEONARD TACHNER, A PROFESSIONAL LAW CORPORATION |
| STREET | 17961 SKY PARK CIRCLE, SUITE 38-E |
| CITY | IRVINE |
| STATE | California |
| COUNTRY | United States |
| POSTAL/ZIP CODE | 92614 |
| PHONE | 949-752-8525 |
| FAX | 949-955-2415 |
| EMAIL | tachlaw@aol.com |
| AUTHORIZED TO COMMUNICATE VIA E-MAIL | YES |
| SIGNATURE SECTION | |
| SIGNATURE | /Leonard Tachner/ |
| SIGNATORY NAME | Leonard Tachner |
| SIGNATORY DATE | 06/01/2011 |
| SIGNATORY POSITION | Attorney of Record |
| FILING INFORMATION SECTION | |
| SUBMIT DATE | Wed Jun 01 17:45:26 EDT 2011 |
| TEAS STAMP | USPTO/RAA-207.200.116.72- 20110601174526680453-8533 2886-480812b7116d0cbdc7a6 99dd94e6a174d77-N/A-N/A-2 0110601174043417127 |

PTO Form 2196 (Rev 9/2005)
OMB No. 0651-0056 (Exp 09/30/2011)

Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

To the Commissioner for Trademarks:

MARK: BRUXZIR

SERIAL NUMBER: 85332886

ATTORNEY DOCKET NUMBER GLIDEWELL-25

The original attorney

KEITH D. ALLRED

KEITH D. ALLRED, GENERAL COUNSEL

4141 MACARTHUR BLVD.

PROFESSIONAL SERVICES

NEWPORT BEACH, CA 92660

949-440-2683

949-440-2787

kallred@glidewelldental.com

Original Correspondence Address :

KEITH D. ALLRED

KEITH D. ALLRED, GENERAL COUNSEL

4141 MACARTHUR BLVD.

PROFESSIONAL SERVICES

NEWPORT BEACH, CA 92660

949-440-2683

949-440-2787

kallred@glidewelldental.com

By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney.

Newly Appointed Attorney:

LEONARD TACHNER

LEONARD TACHNER, A PROFESSIONAL LAW CORPORATION

17961 SKY PARK CIRCLE, SUITE 38-E

IRVINE, California 92614

United States

949-752-8525

949-955-2415

tachlaw@aol.com

GLIDEWELL-25

The following is to be used as the correspondence address:

LEONARD TACHNER

LEONARD TACHNER, A PROFESSIONAL LAW CORPORATION
17961 SKY PARK CIRCLE, SUITE 38-E
IRVINE, California 92614
United States

949-752-8525
949-955-2415
tachlaw@aol.com

Signature: /Leonard Tachner/ Date: 06/01/2011
Signatory's Name: Leonard Tachner
Signatory's Position: Attorney of Record

Serial Number: 85332886
Internet Transmission Date: Wed Jun 01 17:45:26 EDT 2011
TEAS Stamp: USPTO/RAA-207.200.116.72-201106011745266
80453-85332886-480812b7116d0cbdc7a699dd9
4e6a174d77-N/A-N/A-20110601174043417127

PTO Form 1478 (Rev. 9/2006)
DMB No. 0651-0009 (Exp. 12/31/2011)

Trademark/Service Mark Application, Principal Register

Serial Number: 85332886

Filing Date: 05/27/2011

The table below presents the data as entered.

| Input Field | Entered |
|---|--|
| SERIAL NUMBER | 85332886 |
| MARK INFORMATION | |
| *MARK | BRUXZIR |
| STANDARD CHARACTERS | YES |
| USPTO-GENERATED IMAGE | YES |
| LITERAL ELEMENT | BRUXZIR |
| MARK STATEMENT | The mark consists of standard characters, without claim to any particular font, style, size, or color. |
| REGISTER | Principal |
| APPLICANT INFORMATION | |
| *OWNER OF MARK | James R. Glidewell Dental Ceramics Inc. |
| DBA/AKA/TA/Formerly | DBA Glidewell Laboratories |
| INTERNAL ADDRESS | Professional Services |
| *STREET | 4141 MacArthur Blvd. |
| *CITY | Newport Beach |
| *STATE (Required for U.S. applicants) | California |
| *COUNTRY | United States |
| *ZIP/POSTAL CODE (Required for U.S. applicants only) | 92660 |
| PHONE | 949-440-2683 |
| FAX | 949-440-2787 |
| EMAIL ADDRESS | kdallred@glidewelldental.com |
| WEBSITE ADDRESS | www.glidewelldental.com |

| | |
|--|---|
| LEGAL ENTITY INFORMATION | |
| TYPE | corporation |
| STATE/COUNTRY OF INCORPORATION | California |
| GOODS AND/OR SERVICES AND BASIS INFORMATION | |
| INTERNATIONAL CLASS | 005 |
| *IDENTIFICATION | Dental ceramics |
| FILING BASIS | SECTION 1(a) |
| FIRST USE ANYWHERE DATE | At least as early as 11/10/2009 |
| FIRST USE IN COMMERCE DATE | At least as early as 11/10/2009 |
| SPECIMEN FILE NAME(S) | \\TICRS\EXPORT1\IMAGEOUT\11\853\328\85332886\xml1\APP0003.JPG |
| SPECIMEN DESCRIPTION | A box that is used to ship the goods shows the use of the mark on the lid and side panel. |
| ATTORNEY INFORMATION | |
| NAME | Keith D. Allred |
| FIRM NAME | Keith D. Allred, General Counsel |
| INTERNAL ADDRESS | Professional Services |
| STREET | 4141 MacArthur Blvd. |
| CITY | Newport Beach |
| STATE | California |
| COUNTRY | United States |
| ZIP/POSTAL CODE | 92660 |
| PHONE | 949-440-2683 |
| FAX | 949-440-2787 |
| EMAIL ADDRESS | kallred@glidewell dental.com |
| AUTHORIZED TO COMMUNICATE VIA EMAIL | Yes |
| CORRESPONDENCE INFORMATION | |
| NAME | Keith D. Allred |
| FIRM NAME | Keith D. Allred, General Counsel |
| INTERNAL ADDRESS | Professional Services |
| STREET | 4141 MacArthur Blvd. |

| | |
|-------------------------------------|-----------------------------|
| CITY | Newport Beach |
| STATE | California |
| COUNTRY | United States |
| ZIP/POSTAL CODE | 92660 |
| PHONE | 949-440-2683 |
| FAX | 949-440-2787 |
| EMAIL ADDRESS | kallred@glidewelldental.com |
| AUTHORIZED TO COMMUNICATE VIA EMAIL | Yes |
| FEE INFORMATION | |
| NUMBER OF CLASSES | 1 |
| FEE PER CLASS | 325 |
| *TOTAL FEE DUE | 325 |
| *TOTAL FEE PAID | 325 |
| SIGNATURE INFORMATION | |
| SIGNATURE | /K. D. Allred/ |
| SIGNATORY'S NAME | Keith D. Allred |
| SIGNATORY'S POSITION | General Counsel |
| DATE SIGNED | 05/27/2011 |

Trademark/Service Mark Application, Principal Register

Serial Number: 85332886

Filing Date: 05/27/2011

To the Commissioner for Trademarks:

MARK: BRUXZIR (Standard Characters, see [mark](#))

The literal element of the mark consists of BRUXZIR.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, James R. Glidewell Dental Ceramics Inc., DBA Glidewell Laboratories, a corporation of California, having an address of

Professional Services,
4141 MacArthur Blvd.
Newport Beach, California 92660
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.
International Class 005: Dental ceramics

In International Class 005, the mark was first used at least as early as 11/10/2009, and first used in commerce at least as early as 11/10/2009, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) A box that is used to ship the goods shows the use of the mark on the lid and side panel..

[Specimen File1](#)

For informational purposes only, applicant's website address is: www.glidewelldental.com

The applicant's current Attorney Information:

Keith D. Allred of Keith D. Allred, General Counsel

Professional Services
4141 MacArthur Blvd.
Newport Beach, California 92660
United States

The applicant's current Correspondence Information:

Keith D. Allred
Keith D. Allred, General Counsel

Professional Services
4141 MacArthur Blvd.
Newport Beach, California 92660
949-440-2683(phone)
949-440-2787(fax)
kallred@glidewelldental.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /K. D. Allred/ Date Signed: 05/27/2011
Signatory's Name: Keith D. Allred
Signatory's Position: General Counsel

RAM Sale Number: 4714
RAM Accounting Date: 05/31/2011

Serial Number: 85332886
Internet Transmission Date: Fri May 27 18:44:23 EDT 2011
TEAS Stamp: USPTO/BAS-12.201.82.11-20110527184423277
579-85332886-480e29f7e59af91d227709affa3
f8fc5146-CC-4714-20110527182010044788

BRUXZIR



BRUXZIR

